

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

CHARLES D. RIEL,

Petitioner,

v.

WARDEN, San Quentin State Prison,

Respondent.

No. 2:01-cv-0507 MCE DB

DEATH PENALTY CASE

ORDER

The court has received two handwritten letters from the petitioner, Charles Riel. (ECF Nos. 615, 616.) The court notes that petitioner is represented by counsel in this action and pro se filings by a represented party are improper. See United States v. Gwiazdzinski, 141 F.3d 784, 787 (7th Cir. 1998). Petitioner is encouraged to address any issues regarding this action with his attorney. The court notes that although petitioner indicates dissatisfaction with his attorney, it does not appear at this time that he is requesting a change of counsel at this time. (ECF No. 616 at 2-3, 5.)


Additionally, petitioner indicated dissatisfaction with the conditions of his confinement. (ECF No. 615 at 8.) To the extent petitioner seeks to challenge his conditions of confinement he may exhaust all available administrative remedies and file an action pursuant to 42 U.S.C. § 1983. See Crawford v. Bell, 599 F.2d 890, 891-92 (9th Cir. 1979) (Claims regarding the conditions of petitioner's confinement, as opposed to the validity or duration of his confinement, must be

brought in a civil rights action.). Review of the Inmate Locator Website operated by the California Department of Corrections and Rehabilitation<sup>1</sup> indicates that petitioner is presently housed at San Quentin State Prison. Accordingly, any civil rights action should be brought in the United States District Court for the Northern District of California which is the appropriate venue for conditions of confinement claims originating at San Quentin State Prison.

In light of petitioner's statement that he intends to go on a hunger strike (ECF No. 615 at 6; ECF No. 616 at 4), the Clerk of the Court will be directed to serve a copy of this order on the Litigation Coordinator at San Quentin State Prison.

For the reasons set forth above, the Clerk of the Court is ORDERED to serve a copy of this order on the Litigation Coordinator at San Quentin State Prison.

Dated: March 7, 2023



DEBORAH BARNES  
UNITED STATES MAGISTRATE JUDGE

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<sup>1</sup> See <https://inmatelocator.cdcr.ca.gov/search.aspx>. This court may take judicial notice of facts that are capable of accurate determination by sources whose accuracy cannot reasonably be questioned. Fed. R. Civ. P. 201.